

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE 32BJ NORTH PENSION FUND AND	:	
ITS BOARD OF TRUSTEES,	:	
	:	
Plaintiff,	:	24-CV-3674 (VSB) (HJR)
	:	
- against -	:	<u>ORDER</u>
	:	
SEDGWICK & NORTH HALLS HOUSING	:	
DEVELOPMENT FUND COMPANY, INC.,	:	
	:	
Defendant.	:	
-----X	:	
<u>VERNON S. BRODERICK, United States District Judge:</u>		

On May 13, 2024, Plaintiff The 32BJ North Pension Fund and its Board of Trustees (“Plaintiff”) filed this action bringing a claim for delinquent withdrawal liability under the Employee Retirement Income Security Act of 1974 against Defendant Sedgwick & North Halls Housing Development Fund Company, Inc. (“Defendant”). (Doc. 1.) On July 31, 2024, I entered default judgment against Defendant as to liability, (Doc. 23), and referred this action to Magistrate Judge Stewart D. Aaron for an inquest as to damages, (Doc. 24). On August 29, 2024, the damages inquest was reassigned to Magistrate Judge Henry J. Ricardo.

On January 6, 2025, Magistrate Judge Ricardo issued a thorough 14-page Report and Recommendation (“Report” or “R&R”) recommending that Plaintiff be awarded: “(i) Unpaid withdrawal liability in the amount of \$86,126.00; (ii) Pre-judgment interest in the amount of \$76.62, plus pre-judgment interest on \$86,126.00 to be calculated from November 29, 2023, through the entry of judgment; (iii) Liquidated damages in the amount of \$17,225.20; (iv) Attorney’s fees in the amount of \$11,235.00; (v) Costs in the amount of \$835.96; and (vi) Post-

judgment interest.” (Doc. 33 at 13.) The Report was served on Defendant on January 8, 2025. (Doc. 34.) Neither party filed any objections to the Report.


A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “To accept the report and recommendation of a magistrate [judge], to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985).

Although the Report and Recommendation explicitly provided that “the parties have fourteen (14) days (including weekends and holidays) from service of this Report and Recommendation to file any objections” and the “failure to file objections within fourteen (14) days will result in a waiver of objections and will preclude appellate review,” (Doc. 33 at 13–14), neither party filed an objection or requested additional time to do so. I have reviewed Magistrate Judge Ricardo’s detailed and well-reasoned Report for clear error and, after careful review, find none. I therefore ADOPT the Report and Recommendation in its entirety.

The Clerk’s Office is respectfully directed to enter judgment in accordance with this Order and to close this case.

SO ORDERED.

Dated: March 27, 2025
New York, New York


Vernon S. Broderick
United States District Judge